

REMARKS

I. INTRODUCTION

Claims 1-12 are currently pending in the present application. Claims 5, 6, 11 and 12 have been amended to clarify the subject matter recited therein. No new matter has been added. Reconsideration of the present application is requested.

II. INFORMATION DISCLOSURE STATEMENT:

The Office Action maintains that the information disclosure statement as filed on January 11, 2002 fails to comply with 37 CFR § 1.98(a)(3) because the Examiner believes that the information disclosure statement does not include a concise explanation of the relevance, as it is understood by the individual designated in 37 CFR § 1.56(c) most knowledgeable about the content of the information about the content of the information, of each patent listed that is not in the English language. Applicants respectfully traverse this assertion.

37 CFR § 1.98(a)(3)(i) states that the required concise explanation of relevance may be incorporated in the specification. Applicant's specification does include an explanation of relevance, (e.g., Specification 1:6-27).

In view of the foregoing, it is respectfully submitted that the information disclosure statement complies with the requirement for a statement of relevance of a patent listed that is not in the English language.

III. REJECTION OF CLAIMS 5-6, 11-12 UNDER 35 U.S.C. § 112:

Claims 5-6 and 11-12 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enabling requirement. The Office action maintains that the claims contain subject matter not described in a manner to enable one skilled in the art to make or use the invention. Applicants respectfully traverse this assertion.

In particular, the Office Action maintains that the

specification does not sufficiently describe "electric units" and "generator" of claims 5-6 and 11-12 so as to enable one skilled in the art to make or use the invention. Respectfully, to satisfy the enabling requirement of 35 U.S.C. § 112, first paragraph, the specification must describe the claimed invention so that one skilled in the art may practice the invention without undue or unreasonable experimentation. *In re Wands*, 858 F.2d 731, 737 (Fed. Cir. 1988). The specification describes a vehicle generator (i.e., an example of an electric unit) having a variable vehicle version reduction ratio representing a reduction factor between the engine rpm and the generator rpm (e.g., 3:31 - 4:2). Vehicle generators having a ratio of generator rpm to engine rpm are well known in the art. See e.g., Standard Handbook for Electrical Engineers § 21-54 (Fink & Carroll eds., 10th ed. 1969). Furthermore, that the generators are electric units is well known in the art. See *id.* Consequently, the specification sufficiently describes the claimed invention so as to enable one skilled in the art to practice the invention without undue or unreasonable experimentation.

In view of the foregoing, it is respectfully submitted that claims 5-6 and 11-12 are in condition for allowance.

IV. REJECTION OF CLAIMS 1-12 UNDER 35 U.S.C. § 102(b)

Claims 1-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Volkswagen official repair manual for model year 1999 Jetta/Golf/GTI (the "Manual"). It is respectfully submitted that the Manual does not anticipate any of claims 1-12 for at least the following reasons.

Claim 1 recites, *inter alia*, the following:

... means for indirect selection of control parameters ... by algorithmic processing of values of a plurality of bit positions of the version coding.

Claim 7 includes similar subject matter. Claims 2-6 and 8-12 depend from claims 1 and 7 respectively.

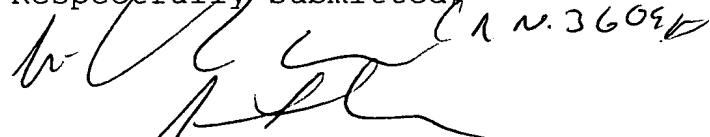
Respectfully, the Manual does not disclose an algorithmic processing of values of a plurality of bit positions of a version coding in order to select control parameters. In particular, the Office Action generally relies upon the Manual's description of determining the code to be entered and entering the determined code. More specifically, the Manual describes a 5 digit long vehicle code number that a vehicle instrument tester is to enter. The Manual further describes the basis upon which the tester determines the code to be entered. However, the Manual does not describe what is done with the code that is entered. In particular, the Manual does not describe algorithmic processing of the individual bits of the entered code to select control parameters.

In view of the foregoing, it is respectfully submitted that the Manual does not anticipate any of claims 1-12.

V. CONCLUSION

In light of the foregoing, it is respectfully submitted that all pending claims 1-12 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,



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